



RESTRICTION ELECTION FACSIMILE TRANSMISSION

DATE: May 24, 2001

FROM/ATTORNEY: Kevin E. Noonan

FIRM: McDonnell Boehnen Hulbert & Berghoff

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GROUP 1600

TO EXAMINER: S. Rawlings

ART UNIT: 1642

SERIAL NUMBER: 09/724,000

FAX/TELECOPIER NUMBER: (703) 308-4315

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Case No. 00,450-A)

PATENT

In re Application of: Polverino et al.

Serial No.: 09/724,000

Filed: November 28, 2000

**For: Secreted Epithelial Colon
Stromal-1 Molecules and Uses**

Before the Examiner: S. Rawlings

Group Art Unit: 1642

Commissioner for Patents
Washington, D.C. 20231

Sir:

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TRANSMITTAL LETTER

In regard to the above identified application:

1. We are transmitting herewith the attached

Response to Restriction Requirement

2. Please charge any additional fees to Deposit Account No. 13-2490.

3. The undersigned hereby certifies that this Transmittal Letter and this paper, as described in paragraph 1 herein above, are being facsimile transmitted to the Patent and Trademark Office (Fax No. (703) 308-4315 on May 24, 2001.

Respectfully submitted,
McDonnell Boehnen Hulbert & Berghoff

Dated: May 24, 2001

By: 

Kevin E. Noonan, Ph.D.
Reg. No. 35,303

#8
J. McDonnell
5/25/01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Case No. 00,450-A)

PATENT**In re Application of: Polverino et al.****Serial No.: 09/724,000****Filed: November 28, 2000****For: Secreted Epithelial Colon
Stromal-1 Molecules and Uses****Before the Examiner: S. Rawlings****Group Art Unit: 1642**

Commissioner for Patents
Washington, D.C. 20231

Sir:

RESPONSE TO RESTRICTION REQUIREMENT
MAILED APRIL 27, 2001

Responsive to the Restriction Requirement, mailed April 27, 2001, Applicants elect to prosecute claims 9, 13-17, 40-45, 49, and 50, designated as Group 4 by the Examiner, with traverse. The basis for Applicants' traversal of the requirement is as follows.

Applicants respectfully submit that there will be no undue hardship on the Office in performing a search with respect to the claims of both Groups 3 and 4. The claims of group 3 are directed are towards an isolated murine Secs-1 polypeptide or a derivative thereof, a composition comprising said polypeptide, and a fusion protein comprising said polypeptide. The claims of Group 4 are directed towards an isolated human Secs-1 polypeptide or a derivative thereof, a composition comprising said polypeptide, and a fusion protein comprising said polypeptide. The claims of both groups 3 and 4 have been classified in class 530, subclass 350; class 530, subclass 402; and/or class 435, subclass 183.

Applicants do not believe any additional fee is required. However, the Commissioner is authorized to charge any deficiency to Deposit Account No. 13-2490. If Examiner Rawlings believes it to be helpful, he is invited to contact the undersigned attorney by telephone at (312) 913-0001.

Respectfully submitted,
McDonnell Boehnen Hulbert & Berghoff

Dated: May 24, 2001

By: 

Kevin E. Noonan, Ph.D.
Reg. No. 35,303